

REMARKS

Claims 1 - 17 are pending. Reconsideration is requested.

Claims 1- 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao et al. (US 6,546,385) and in view of Tripp et al (US 6,516, 337)

Mao et al was filed 13 Aug 1999, before filing of the present patent application, and published on 8 April 2003, after filing of the present patent application. Therefore, Mao et al would qualify as prior art against the present patent application only via 35 U.S.C. 102(e).

Applicant notes that at the time the present invention was made, the inventors were employees of International Business Machines Corporation (IBM) and subject to an obligation to assign the invention to IBM. Such an assignment has been duly recorded in the USPTO. Mao et al is likewise assigned to IBM. Therefore, under the provisions of 35 U.S.C. 103(a), Mao et al is disqualified as prior art against the present patent application, and the rejection of the claims under 35 U.S.C. 103(a) should be withdrawn.

Applicants believe that the above amendments and remarks are fully responsive to all the objections and grounds of rejections by the examiner. In view of the foregoing amendments and remarks, the applicants respectfully submit that all the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to Deposit Account No.
09-0468.

Respectfully submitted,

By: Stephen C. Kaufman
Stephen C. Kaufman
Reg. No. 29,551
Phone No. (914) 945-3197

IBM Corporation
Intellectual Property Law Dept.
P. O. Box 218
Yorktown Heights, New York 10598